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United States Senate

COMMITTEES:
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ENERGY AND
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WTB
SMALL BUSINESS AND ENTREPRENEURSHIP

June 1, 2016

The Honorable Thomas Wheeler, Chairman
The Honorable Mignon Clyburn
The Honorable Jessica Rosenworcel
The Honorable Ajit Pai
The Honorable Michael O'Rielly
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Spectrum
Allocation
received & inspected
JUN 13 2016

FCC Mail Room

Re: GN Docket No. 14-177, Use of Spectrum Bands Above 24 GHz For Mobile Radio Services; RM-11768, Petition for Rulemaking to Permit MVDDS Use of the 12.2-12.7 GHz Band for Two-Way Mobile Broadband Service

Dear Chairman Wheeler and Commissioners:

I write today asking the Commission to issue a Further Notice of Proposed Rulemaking (FNPRM) that considers the possibility of extending Multichannel Video Distribution and Data Service (MVDDS) spectrum licensees the ability to use their 12.2-12.7 GHz holdings for 5G mobile broadband service.

5G mobile broadband service is the connectivity standard of the future. It will be significantly faster than existing 4G LTE technology, connect the ever-expanding Internet of Things, and provide more consistent coverage in rural and urban areas alike, among other benefits.

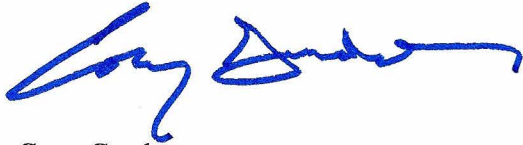
Given the possibility of such substantial improvements to mobile broadband, countries including the United Kingdom, Japan, and South Korea are actively working to deploy 5G networks faster than the United States, thereby endangering our position as the global leader in mobile communications connectivity. To date, dozens of American companies have invested considerable effort and resources into keeping the United States at the forefront of mobile broadband technology—I commend those ongoing investments.

As we confront these mounting connectivity challenges, however, I believe the Commission should explore as many feasible options as possible for transitioning to 5G in order to keep the United States internationally competitive. That is why I am asking the Commission to issue this FNPRM at the meeting where it considers the pending Spectrum Frontiers proceeding, while taking care to address any potential interference concerns that may arise with the use of 12.2-12.7 GHz spectrum for 5G service.

The United States must continue to lead the world in the next generation of 5G technology. I look forward to the Commission's efforts to ensure we remain at the forefront of the mobile

communications revolution and thank you for your consideration. If you have any questions, please do not hesitate to contact my Washington, D.C. office at (202) 224-5941.

Sincerely,

A handwritten signature in blue ink, appearing to read "Cory Gardner", with a stylized, flowing script.

Cory Gardner
United States Senator



FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON

OFFICE OF
THE CHAIRMAN

July 27, 2016

The Honorable Cory Gardner
United States Senate
354 Russell Senate Office Building
Washington, D.C. 20510

Dear Senator Gardner:

Thank you for your letter supporting the Commission's efforts to identify spectrum for 5G technologies and encouraging us to initiate a rulemaking to explore increased flexibility for the future use of Multichannel Video Distribution and Data Service (MVDDS) spectrum for 5G mobile broadband services.

I share your commitment to ensuring that the United States maintains its leadership in wireless innovation as the world transitions to the next generation of wireless technology, 5G. If we build off of the spectrum policies that led to our success in 4G – creating flexible licensing and technical rules – we will continue to lead the wireless revolution. To that end, the Commission recently adopted the Spectrum Frontiers *Order and Further Notice of Proposed Rulemaking (FNPRM)* that dramatically increases the amount of spectrum available for 5G services.

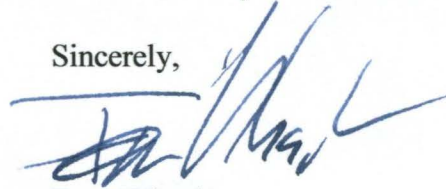
We initiated our Spectrum Frontiers proceeding with the goal of acting incredibly quickly to make new spectrum available. I am pleased that we were able to vote on rules less than 10 months after launching this proceeding. But our vote this month is not the end. We will continue to push to consider additional bands that might be capable of facilitating next generation technologies and have proposed a number of additional bands in the *FNPRM*. At this point, the Spectrum Frontiers proceeding continues to focus on bands above 24 GHz. However, spectrum bands like the MVDDS band that fall below the 24 GHz band may indeed hold potential for future wireless technologies and services to take hold, and there may be an opportunity to consider these bands in the future.

In addition, a petition for rulemaking asking the Commission to permit MVDDS licensees to use their spectrum to provide mobile broadband service was recently filed with the Commission. Consistent with our customary practice, this petition was placed on Public Notice to afford all interested parties an opportunity to file comments. Comments in response to the petition were due last month, and Commission staff is reviewing the record that developed in response to this petition.

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I appreciate your interest in this matter, and my staff will endeavor to keep you informed as these proceedings progress. Please let me know if I can be of any further assistance.

Sincerely,



Tom Wheeler